

Housing Barriers Facing Individuals with Criminal Histories

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Neighborhood
Christian Legal Clinic



Neighborhood Christian Legal Clinic

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- Neighborhood Christian Legal Clinic is a non-profit offering pro bono legal representation and preventive legal education to low income families, including immigrant families. We accept clients in the greater Indianapolis metro area whose income is at or below 125% of the Federal Poverty Guidelines.
- Civil Legal Service Areas: Landlord/Tenant, Immigration, Bankruptcy, Housing/Foreclosure, Wills/Estates, SSI/SSD, Consumer/Debt, Tax Controversies
- Programs: Foreclosure Prevention, Immigrant Justice, Low Income Tax Payer Clinic, Victim Justice, Project GRACE

Project GRACE Background

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- Guided Re-Entry Assistance & Community Education
- The program officially launched in June 2011 as the Breaking Barriers to Re-Entry program with a focus on employment and family barriers as key indicators to re-entry success.
- Project GRACE works with individuals with criminal histories to increase access to civil legal services, coupled with connecting these individuals to community services to maximize the potential for self-sufficiency after incarceration.

Clinic Tracking Method

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- The Clinic track clients by case type – based upon the legal issues described at the time of intake and the actionable legal issues that come about while providing service.

Project GRACE Case Types

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- Predominant Project GRACE case types
 - License cases
 - Family Law
 - Clearing records
 - Bankruptcy
 - Housing and Consumer Law
- These case types correlate with the Community Recommendations for Addressing Crime in Indianapolis (2007), which found that child support, license suspensions and reinstatements fees, and unstable housing can create barriers to successful reentry.

Housing Barriers

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- Many people released from prison or jail are at risk for experiencing homelessness, which can increase the likelihood that they will commit new crimes or return to prison.*

* *“Strategies for Addressing Housing Needs and Risks In Prisoner Re-Entry,”* Council of State Governments. www.reentrypolicy.org.

- The United Way of Central Indiana’s 2008 Community Assessment found that housing options are very limited for individuals who are re-entering from prison and jail. Many individuals can only find housing in areas that are not conducive to successful reentry.

Measuring Housing Barriers

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- Project GRACE clients have legal issues that coincide with and/or highlight their housing issue.
 - A client recently released from prison or jail may need to resolve child support suspension on license to get to work or to gain employment. The client needs stable employment to pay child support and to improve their housing situation.
 - A client further into re-entry may be eligible to clear their criminal record to improve their employment options and thus their housing situation.

Homelessness Data

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- None of Project GRACE's clients identified as experiencing homelessness at the time of intake.
 - ✦ Clients are not identifying themselves as experiencing homelessness if they are living with family, friends, or intimate partners.
- Coalition for Homelessness Intervention and Prevention-Indy Homelessness Connect Data:
 - ✦ 36% (73 of 203) of the individuals that the Clinic served at Indy Homeless Connect reported that they at some point had been convicted of a crime.
 - ✦ There is a correlation between having a criminal history and being able to find affordable housing.
- Difficult to track national statistics on homelessness among people leaving jail or prison.

Clients with Housing Cases

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- 6 out of 831 clients sought assistance with housing related cases.
 - Public housing cases
 - ✦ Majority of clients are aware that they can be denied public housing because of arrest and criminal convictions.
 - ✦ Federal law provides that public housing agencies can bar people from public housing for certain convictions
 - ✦ Clients seek appeal of public housing denial (individuals with drug related convictions who have evidence of participation in a rehabilitation program)
 - Landlord/tenant cases
 - ✦ Problem landlords
 - ✦ Predatory lending (rent-to-own)

Clients with Housing Cases

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- Why does Project GRACE not see more housing related cases?
 - Clients may be initially focused on more pressing concerns (obtaining their license, dealing with child support, seeking options to clear their record).
 - An overwhelming majority of clients are living with friends, family, or intimate partners.

Indicators of Housing Instability

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- National Alliance to End Homelessness found that about 80% of people leaving prison live with family members initially.
- These relationships may be very strained and tenuous as a result of the person being incarcerated and may not be viable long-term options.
- It is common for Project GRACE clients to have multiple changes of address during the course of receiving legal assistance.

Importance of Positive Social Relationships

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- Because families and friends are the most frequent providers of housing for people who are recently released, these relationships are valuable after release.
- To leverage these relationships, case management and rehabilitative programs that provide support to individuals and their families both before and after release could help people through the transition of reentry.
- Project GRACE is researching adding a re-entry mediation to its services

Housing Options*

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- Private rental properties
 - Landlords may conduct background checks and refuse to rent to people with criminal records.
 - Affordable properties that will rent to individuals with criminal histories may take advantage of tenant.
- Public housing
 - Application process and eligibility may be hard to find and difficult to understand.
 - Housing authorities are able to deny applicants with criminal history under Federal law.

* Katherine Cortes and Shawn Rogers, *Reentry Housing Options: The Policymakers' Guide* (New York: Council of State Governments Justice Center, 2010).

Housing Options

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- **Transitional Housing**
 - Limited duration and specific defined service
 - Need more rehabilitative programs to refer clients to, especially for those with issues with substance abuse or prior drug charges for housing and for driving privileges.
- **Supportive Housing/Therapeutic Communities**
 - Longer term and may include case management
 - Continuum of service from prison or jail
- **Re-entry Specific Housing/Social Enterprise**
 - Live-in community
 - Wrap-around services
 - Economic development

Example: Delancey Street Foundation

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- Delancey Street Foundation is a leading, national residential self-help organization that serves individuals who are recovering from substance abuse, have criminal histories, and/or are experiencing homelessness.
- Delancey Street facilities are resident-run and self-sufficient. Residents stay on average 2 to 4 years.
- Wrap-around services include education, employment, job training, substance abuse, housing, and mentoring.
- Re-entry provider, Step-Up, Inc., is in conversation with the Delancey Street Foundation and has plans to open a facility in Indianapolis.

Summary

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- Family members are a large provider of housing options for individuals who have been released from jail or prison.
 - These options are often short term and can lead to an individual becoming homeless
 - People who are returning to family members may be returning to environments that are not conducive to re-entry
 - Need for accessible rehabilitative services in the community
- Affordable private rental options and public housing options are limited.
- Supportive housing options and re-entry specific housing options can create a necessary continuum of service after release and improve housing options.

Questions?

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Thank You.